

<b>DAVID MIMS, et al,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>vs.</b>	)	<b>CASE NO.: 1:12-CV-244-VEH</b>
	)	<b>UNOPPOSED</b>
<b>WAL-MART STORES, INC., et al,</b>	)	
	)	
<b>Defendants.</b>	)	

Come now the plaintiffs, David Mims and Donna Mims (hereinafter collectively “Plaintiffs”), and file this motion to stay deadlines. Plaintiffs have conferred with counsel for Defendants Wal-Mart Stores, Inc., Kinderhook Capital Fund II, L.P. and Kinderhook Industries, LLC, who have indicated they do not oppose the motion. In support of said motion, Plaintiffs state as follows:

1. On November 8, 2012, Plaintiff filed their Motion for Extension of Deadlines and Motion for a Scheduling Conference. As set forth fully in said Motion, Plaintiffs submit that they simply cannot meet the January 21, 2013 expert disclosure deadline due to delays and defects in Defendant Wal-Mart's document production. Accordingly, Plaintiffs requested this Honorable Court to amend the Scheduling Order pursuant to Rule 16(b)(4) and requested a scheduling conference regarding the alteration of deadlines

in this action.

2. On November 28, 2012, this Honorable Court entered an order denying in part Plaintiffs' motion to amend the scheduling order and granting Plaintiffs' request for a scheduling conference. The scheduling conference was initially scheduled for today, December 11, 2012.
3. On December 3, 2012, Defendant Wal-Mart filed its unopposed Motion to Continue the scheduling conference due to scheduling conflicts.
4. On December 4, 2012, this Honorable Court entered an order resetting the scheduling conference for January 22, 2012.
5. Currently, Plaintiffs' the defects in Wal-Mart's document production, and remain unable to utilize the documents and conduct depositions. For the reasons set forth in Plaintiffs' Motion for Extension of Deadlines and Motion for a Scheduling Conference, and because the scheduling conference is currently set for a date after the deadline for Plaintiffs' expert disclosures, Plaintiffs respectfully request this Honorable Court enter an order staying the deadlines in this action.

Respectfully submitted,

/s/ Glenda G. Cochran  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 11th day of December, 2012, I electronically filed the foregoing with the Clerk of the Court, using the CM/ECF system which will send notification of such filing to the following:

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